

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

KIMBERLY STARLING,

Plaintiff,

v.

NEWSMAX MEDIA, INC.,

Defendant.

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Civil Action No. 4:24-CV-00797-O

ORDER

Before the Court are parties' Joint Motion for Entry of a Protective Order (ECF No. 22), filed November 12, 2024. The parties ask the Court to consider and adopt their proposed protective order (ECF No. 22-1). However, this Court routinely declines to use Federal Rule of Civil Procedure 26(c) to convert an agreement of the parties into a court order. Accordingly, the Agreed Motion for Entry of Protective Order is **DENIED**.

This practice does not leave the parties without recourse. First, during the discovery stage, the parties may agree to any confidentiality or discovery-related contract among themselves without devoting judicial resources to the matter. *Davis v. City of Fort Worth*, No. 4:14-cv-491-A, 2014 WL 12940678, at *3, *3 n.3 (N.D. Tex. July 3, 2014) (McBryde, J.). Second, at the adjudicative stage, a party may move for leave to file specific documents under seal with a memorandum outlining the good cause for the document to be sealed from public. The motion must also be supported by legal authorities and relevant facts verified by oath or declaration of a person with personal knowledge. *See United States v. Holy Land Found. for Relief & Dev.*, 624 F.3d 685, 690 (5th Cir. 2010) ("Public confidence in our judicial system cannot long be maintained where important judicial decisions are made behind closed doors and then announced in conclusive terms to the public, with the record supporting the court's decision sealed from public view.")

(cleaned up)); *see also Binh Hoa Le v. Exeter Fin. Corp.*, 990 F.3d 410, 420–21 (5th Cir. Mar. 5, 2021) (“[W]hen materials enter the court record, the standard for shielding records from public view is far more arduous.”).

For these reasons, the Court **DENIES** the parties’ Joint Motion for Entry of Protective Order.

SO ORDERED this **12th day of November, 2024**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE